

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
27-CA-273747Date Filed
3/8/2021**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Centura Health/St. Mary Corwin Medical Center		b. Tel. No. (719) 557-5141
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 1008 Minnequa Ave CO Pueblo 81004	e. Employer Representative (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	g. e-Mail (b) (6), (b) (7)(C) centura.org
		h. Number of workers employed 152
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify principal product or service Healthcare	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)Katie Romich Title:
Communications Workers of America, AFL-CIO**4a. Address (Street and number, city, state, and ZIP code)**8085 E Prentice Ave
CO Greenwood Village 801114b. Tel. No.
(303) 770-2822

4c. Cell No.

4d. Fax No.

4e. e-Mail
kromich@cwa-union.org**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)****6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By



(signature of representative or person making charge)

William Reinken
Title: Attorney

(Print/type name and title or office, if any)

Tel. No.
(303) 721-7399

Office, if any, Cell No.

Fax No.

e-Mail
wreinken@cwa-union.org8085 E Prentice Ave
Address Greenwood Village CO 8011103/06/2021 10:14:46 AM
(date)**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to recognize the union as the collective bargaining representative of its employees.

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees.

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

27-CA-273705

Date Filed

03/04/2021**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Centura Health/St. Mary Corwin Medical Center		b. Tel. No. (719) 557-5141
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 1008 Minnequa Ave CO Pueblo 81004	e. Employer Representative (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	g. e-Mail (b) (6), (b) (7)(C) centura.org
		h. Number of workers employed 152
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify principal product or service Healthcare	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 3,1,5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)Katie Romich Title:
Communications Workers of America, AFL-CIO**4a. Address (Street and number, city, state, and ZIP code)**8085 E Prentice Ave
CO Greenwood Village 801114b. Tel. No.
(303) 770-2822

4c. Cell No.

4d. Fax No.

4e. e-Mail
kromich@cwa-union.org**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)****6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By



William Reinken

Title:
(Print/type name and title or office, if any)Tel. No.
(303) 721-7399

Office, if any, Cell No.

Fax No.

e-Mail
wreinken@cwa-union.orgAddress 8085 E Prentice Ave
Greenwood Village CO 8011103/04/2021 09:06:23 PM
(date)**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

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Basis of the Charge 27-CA-273705 03/04/2021**8(a)(3)**

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) joined or supported a labor organization and in order to discourage union activities and/or membership.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	Verbal Discipline	02/26/2021

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by promising better working conditions if employees did not join or support a union.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	02/24/2021
Other Non-BU/Management Employees	02/24/2021

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by interrogating employees about their union activities.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	02/24/2021
Other Non-BU/Management Employees	02/24/2021

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities.

Work Rule
Disparate application of non-solicitation rule

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees.

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by making unilateral changes in terms and conditions of employment.

List Changes	Approximate date of change
Disregarding Article 23, Section 4	03/04/2021

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by failing to furnish information requested by the union.

Date of request	Employer representative	List items requested	Date refused
02/27/2021	(b) (6), (b) (7)(C)	Contact Info for BU Members	03/04/2021

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

FIRST AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE

Case

Date Filed

27-CA-273705

04/14/2022

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer CATHOLIC HEALTH INITIATIVES COLORADO d/b/a Centura Health-St. Mary Corwin Medical Center		b. Tel. No. (719)557-5141
		c. Cell No.
d. Address (Street, city, state, and ZIP code) 1008 Minnequa Avenue, Pueblo, CO 81004	e. Employer Representative (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	f. Fax No.
		g. e-mail (b) (6), (b) (7)(C)@centura.org
		h. Number of Workers Employed ~ 150
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify Principal Product or Service Healthcare	

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1), (3), and (5) and of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

SEE ATTACHMENT

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Communications Workers of America, AFL-CIO

4a. Address (Street and number, city, state, and ZIP code) 8085 East Prentice Avenue, Greenwood Village, CO 80111	4b. Tel. No. (303)770-2822
	4c. Cell No.
	4d. Fax No.
	4e. e-mail kromich@cwa union.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



(Signature of representative or person making charge)

Katie Romich Union
Representative(Print/type name and title or office, if
any)

Date: 4/14/22

Address: 8085 East Prentice Avenue,
Greenwood Village, CO 80111Tel. No.
(303)770-2822

Office, if any, Cell No.

720-469-0658

Fax No.

e-mail
kromich@cwa-union.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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ATTACHMENT

8(a)(1)

The Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act including by instructing employees that they cannot talk about the Union at work and by threatening employees with discipline and reassignment if they talk about the Union at work.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	About 2/26/2021

8(a)(1)

The Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act including by promising better working conditions if employees did not join or support a union, soliciting employee signatures on a petition to decertify the Union, and providing more than mere ministerial aid to employees soliciting signatures on a petition to decertify the Union.

Name of Employer's Agent/Representative who made the statement	Approximate date
(b) (6), (b) (7)(C)	About 02/24/2021 through 2/26/2021
Other Non-BU/Management Employees	About 02/24/2021 through 2/26/2021

8(a)(1)

The Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act including by maintaining work rules that prevent or discourage employees from engaging in protected concerted activities.

Work Rule
Disparate application of non-solicitation rule

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**Case
27-CA-274650Date Filed
3/24/2021**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Centura Health/St. Mary Corwin Medical Center		b. Tel. No. (719) 557-5141
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 1008 Minnequa Ave CO Pueblo 81004	e. Employer Representative (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	g. e-Mail (b) (6), (b) (7)(C) centura.org
		h. Number of workers employed 152
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify principal product or service Healthcare	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)Katie Romich Title:
Communications Workers of America, AFL-CIO**4a. Address (Street and number, city, state, and ZIP code)**8085 E Prentice Ave
CO Greenwood Village 801114b. Tel. No.
(303) 770-2822

4c. Cell No.

4d. Fax No.

4e. e-Mail
kromich@cwa-union.org**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)****6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By 
(signature of representative or person making charge)William Reinken
Title: Attorney
(Print/type name and title or office, if any)Tel. No.
(303) 721-7399

Office, if any, Cell No.

Fax No.

e-Mail
wreinken@cwa-union.org8085 E Prentice Ave
Address Greenwood Village CO 8011103/24/2021 04:40:51 PM
(date)**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

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Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees.

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by making unilateral changes in terms and conditions of employment.

List Changes	Approximate date of change
Unilaterally ceasing dues deduction	03/09/2021
Unilaterally removing Union Bulletin Boards	03/24/2021

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

FIRST AMENDED CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE

Case

Date Filed

27-CA-274650

04/14/2022

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer CATHOLIC HEALTH INITIATIVES COLORADO d/b/a Centura Health - St. Mary Corwin Medical Center		b. Tel. No. (719)557-5141
		c. Cell No.
d. Address (Street, city, state, and ZIP code) 1008 Minnequa Ave, Pueblo, CO 81004	e. Employer Representative (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)	f. Fax No.
		g. e-mail (b) (6), (b) (7)(C)@centura.org
		h. _____ kers Employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify Principal Product or Service Healthcare	

1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

SEE ATTACHMENT

3. Full name of party filing charge (If labor organization, give full name, including local name and number)

Communications Workers of America, AFL-CIO

4a. Address (Street and number, city, state, and ZIP code)

8085 E Prentice Ave, Greenwood Village, CO 80111

4b. Tel. No.
(303)770-2822

4c. Cell No.

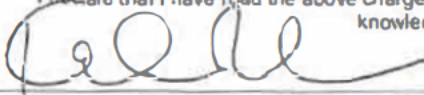
4d. Fax No.

4e. e-mail
kromich@cwa-union.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



(Signature of representative or person making charge)

Katie Romich

(Print/type name and title or office, if any)

Date:

4/14/22

Tel. No.
(303)770-2822Office, if any, Cell No.
720-469-0658

Fax No.

e-mail
kromich@cwa-union.org

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PRIVACY ACT STATEMENT

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CATHOLIC HEALTH INITIATIVES COLORADO d/b/a Centura Health - St. Mary Corwin Medical Center
Case 27-CA-274650 **04/14/2022**
First Amended Charge Against Employer

ATTACHMENT

8(a)(5)

The Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by making unilateral changes in terms and conditions of employment.

List Changes	Approximate date of change
Unilaterally ceasing dues deduction	03/09/2021
Unilaterally removing Union Bulletin Boards	03/24/2021
Unilaterally granting wage increases	03/07/2021

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 27**

**CATHOLIC HEALTH INITIATIVES
COLORADO D/B/A CENTURA HEALTH –
ST. MARY CORWIN MEDICAL CENTER**

and

**Cases 27-CA-273705
27-CA-273747
27-CA-274650**

**COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO**

**ORDER CONSOLIDATING CASES, CONSOLIDATED COMPLAINT AND NOTICE
OF HEARING**

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (the Board) and to avoid unnecessary costs or delay, IT IS ORDERED THAT Cases 27-CA-273705, 27-CA-273747, and 27-CA-274650, which are based on charges filed by Communications Workers of America, AFL-CIO (Charging Party or Union) against CATHOLIC HEALTH INITIATIVES COLORADO d/b/a Centura Health-St. Mary Corwin Medical Center (Respondent) are consolidated.

This Order Consolidating Cases, Consolidated Complaint and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the National

Labor Relations Act (the Act), 29 U.S.C. § 151 et seq., and Section 102.15 of the Board's Rules and Regulations, and alleges Respondent has violated the Act as described below.

1.

(a) The charge in Case 27-CA-273705 was filed by the Charging Party on March 4, 2021, and a copy was served on Respondent by U.S. mail on March 5, 2021.

(b) The first amended charge in Case 27-CA-273705 was filed by the Charging Party on April 14, 2022, and a copy was served on Respondent by U.S. mail on April 21, 2022.

(c) The charge in Case 27-CA-273747 was filed by the Charging Party on March 8, 2021, and a copy was served on Respondent by U.S. mail on the same date.

(d) The charge in Case 27-CA-274650 was filed by the Charging Party on March 24, 2021, and a copy was served on Respondent by U.S. mail on March 25, 2021.

(e) The first amended charge in Case 27-CA-274650 was filed by the Charging Party on April 14, 2022, and a copy was served on Respondent by U.S. mail on April 25, 2022.

2.

(a) At all material times, Respondent has been a Colorado nonprofit corporation with facilities and places of business throughout Colorado, including the St. Mary Corwin Medical Center (St. Mary Corwin) and the Southern Colorado Family Medicine (SCFM)

clinic in Pueblo, Colorado (collectively, Respondent's Pueblo facilities), where it operates a hospital and medical clinic providing both inpatient and outpatient medical care.

(b) Annually, in conducting its operations described above in paragraph 2(a), Respondent derived gross revenues in excess of \$250,000.

(c) Annually, in conducting its operations described above in paragraph 2(a), Respondent purchased and received at its Pueblo facilities goods valued in excess of \$50,000 directly from points outside the State of Colorado.

(d) At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act, and has been a health care institution within the meaning of Section 2(14) of the Act.

3.

At all material times, the Charging Party has been a labor organization within the meaning of Section 2(5) of the Act.

4.

At all material times, the following individuals held the positions set forth opposite their names and were supervisors and agents of Respondent within the meaning of Sections 2(11) and (13) of the Act:

(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)

5.

At all material times, (b) (6), (b) (7)(C) held the position of (b) (6), (b) (7)(C) and has been an actual or apparent agent of Respondent within the meaning of Section 2(13) of the Act.

6.

(a) The following employees of Respondent (the Unit) constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All full-time and regular part-time non-professional employees employed by Respondent at its Pueblo facilities; excluding all professional employees, which includes the following classifications: pharmacists, registered nurses, psychiatric technicians, educational coordinators, development technologists, medical technologists, mental health clinicians, dieticians, physical therapists, X-ray technicians (RT's diagnostic and nuclear), speech therapists, occupational therapists, inhalation therapists, medical records librarians and social workers, all employees in the pastoral care department, all nuns, all employees in the personnel department, confidential employees, management employees, guards and supervisors as defined by the Act.

(b) Since about November 11, 1974, and at all material times until March 5, 2021, Respondent has recognized the Union as the exclusive collective-bargaining representative of the Unit. This recognition has been embodied in successive collective-bargaining agreements, the most recent of which is effective from October 1, 2017 to September 30, 2020.

(c) At all times since November 11, 1974, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the Unit.

7.

In about the last week of February 2021, Respondent, by (b) (6), (b) (7)(C), at St. Mary Corwin:

(a) Prohibited employees from talking about the Union during working time while permitting employees to talk about other non-work subjects.

(b) Threatened employees with discipline if they talked about the Union at work.

(c) Threatened employees that they would be reassigned to a different work location because they talked about the Union at work.

8.

About February 24 and 25, 2021, Respondent, by its actual or apparent agent (b) (6), (b) (7)(C), at SCFM:

(a) Promised employees higher pay if employees signed a petition to decertify the Union and rejected the Union as their collective bargaining representative.

(b) Solicited employees to sign a petition to decertify the Union as their collective bargaining representative.

9.

About February 24, 25, and 26, 2021, Respondent, by (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), provided more than ministerial assistance to employees in propelling a petition to decertify the Union.

10.

(a) About March 5, 2021, Respondent withdrew its recognition of the Union as the exclusive collective-bargaining representative of the Unit.

(b) About March 5, 2021, the Union, by e-mail, requested that Respondent continue to bargain collectively with the Union for a successor collective-bargaining

agreement covering wages, hours, and other terms and conditions of employment of the Unit.

(c) Since about March 5, 2021, Respondent has failed and refused to recognize and bargain with the Union as the exclusive collective-bargaining representative of the Unit.

11.

(a) About March 7, 2021, Respondent granted wage increases to employees in the Unit.

(b) About March 9, 2021, Respondent ceased deducting Union dues from employees in the Unit and ceased remitting dues to the Union.

(c) About March 24, 2021, Respondent removed Union materials from bulletin boards at its Pueblo facilities and ceased providing the Union with access to bulletin boards at its Pueblo facilities.

(d) The subjects set forth above in paragraphs 11(a) through (c) relate to wages, hours, and other terms and conditions of employment of the Unit and are mandatory subjects for the purposes of collective bargaining.

(e) Respondent engaged in the conduct described above in paragraph 11(a) through (c) without prior notice to the Union, without affording the Union an opportunity to bargain with Respondent with respect to this conduct, and without first bargaining with the Union to an overall good-faith impasse for a successor collective-bargaining agreement.

12.

By the conduct described above in paragraphs 7, 8, and 9, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

13.

By the conduct described above in paragraphs 10 and 11, Respondent has been failing and refusing to bargain collectively and in good faith with the exclusive collective-bargaining representative of its employees in violation of Section 8(a)(1) and (5) of the Act.

14.

The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

REMEDY

As part of the remedy for Respondent's unfair labor practices alleged above in paragraphs 7 through 11, the General Counsel seeks an Order requiring Respondent to: (1) post and electronically distribute the Notice to Employees, including distribute the Notice to Employees via any text-based mobile messaging platform (e.g., SMS, iMessage, WhatsApp, Skype, Microsoft Teams, etc.) if the Respondent customarily communicates with its employees through such electronic means; (2) distribute the Notice to Employees to all its supervisors and managers at its Colorado places of business; (3) read the Notice to Employees by a principal or, in the alternative, by a Board Agent, in the presence of supervisors and managers, with Charging

Party representatives being permitted to attend all such readings or, where appropriate, video recording of the reading of the Notice, with the recording being distributed to employees by electronic means or by mail; and (4) provide training to its managers and supervisors on compliance with the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before May 19, 2022, or postmarked on or before May 18, 2022**. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel

or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on Tuesday, July 12, 2022, beginning at 9:00 a.m. (Mountain Time), at the Pueblo Municipal Justice Center, 200 S. Main St, Court Room 2, Pueblo, CO 81003, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated on this 5th day of May 2022.

/s/ *Paula S. Sawyer*

PAULA S. SAWYER
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 27
Byron Rogers Federal Office Building
1961 Stout Street, Suite 13-103
Denver, CO 80294

Attachments

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlrb.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlrb.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 27-CA-273705

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in ***detail***;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)
Catholic Health Initiatives Colorado dba
Centura Health-St. Mary Corwin Medical
Center
1008 Minnequa Ave
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Patrick R. Scully, Esq.
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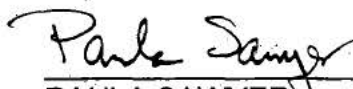
Katie Romich, Union Representative
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Greenwood Village, CO 80111

William Reinken, Attorney
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IMPORTANT NOTICE

The date which has been set for hearing in this matter should be checked immediately. If there is proper cause for not proceeding with the hearing on that date, a motion to change the date of the hearing should be made within ten (10) days from the service of the Complaint. Thereafter, it will be assumed that the scheduled hearing date has been agreed upon and that all parties will be prepared to proceed to the hearing on that date. Later motions to reschedule the hearing generally will not be granted in the absence of a proper showing of unanticipated and uncontrollable intervening circumstances.

All parties are encouraged to fully explore the possibilities of settlement. Early settlement agreements prior to extensive and costly trial preparation may result in substantial savings of time, money and personnel resources for all parties. The Board Agent assigned to this case will be happy to discuss settlement at any mutually convenient time.



PAULA SAWYER
REGIONAL DIRECTOR
REGION 27

FURTHER NOTICE REGARDING SETTLEMENT JUDGES

It is the policy of the Board and the office of the General Counsel to provide full opportunity to the parties to reach a mutually satisfactory resolution of issues as an alternative to litigation. Settlement of a meritorious case is the most effective means to improve relationships between the parties and to permit the Board to concentrate its decisional activities in other cases, thereby expediting all case action. (CHM 10124.1)

The attention of all parties is directed to Section 102.35 of the Board's Rules and Regulations regarding the assignment of settlement judges:

Section 102.35

(b) Upon the request of any party or the judge assigned to hear a case, or on his or her own motion, the chief administrative law judge in Washington, D.C., the deputy chief judge in San Francisco, the associate chief judge in Atlanta, or the associate chief judge in New York may assign a judge who shall be other than the trial judge to conduct settlement negotiations. In exercising his or her discretion, the chief, deputy chief, or associate chief judge making the assignment will consider, among other factors, whether there is reason to believe that resolution of the dispute is likely, the request for assignment of a settlement judge is made in good faith, and the assignment is otherwise feasible. Provided, however, that no such assignment shall be made absent the agreement of all parties to the use of this procedure.

(1) The settlement judge shall convene and preside over conferences and settlement negotiations between the parties, assess the practicalities of a potential settlement, and report to the chief, deputy, or associate the status of settlement negotiations, recommending continuation or termination of the settlement negotiations. Where feasible settlement conferences shall be held in person.

(2) The settlement judge may require that the attorney or other representative for each party be present at settlement conferences and that the parties or agents with full settlement authority also be present or available by telephone.

(3) Participation of the settlement judge shall terminate upon the order of the chief, deputy, or associates issued after consultation with the settlement judge. The conduct of settlement negotiations shall not unduly delay the hearing.

(4) All discussions between the parties and the settlement judge shall be confidential. The settlement judge shall not discuss any aspect of the case with the trial judge, and no evidence regarding statements, conduct, offers of settlement, and concessions of the parties made in proceedings before the settlement judge shall be admissible in any proceeding before the Board, except by stipulation of the parties. Documents disclosed in the settlement process may not be used in litigation unless voluntarily produced or obtained pursuant to subpoena.

(5) No decision of a chief, deputy, or associate concerning the assignment of a settlement judge or the termination of a settlement judge's assignment shall be appealable to the Board.

(6) Any settlement reached under the auspices of a settlement judge shall be subject to approval in accordance with the provisions of Section 101.9 of the Board's Statements of Procedures.